

REMARKS

The applicants note with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all of the certified copies of the priority documents have been received.

The applicants acknowledge and appreciate receiving an initialed copy of the form PTO-1449 that was filed on February 3, 2004.

Claims 1 and 4 – 28 are pending. Claims 2 – 3 have been canceled. Claims 11 – 15, which were withdrawn, have been canceled. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

The office action indicated that claim 5 would be allowable if rewritten in independent form. Accordingly, claim 5 has been rewritten in independent form as new independent claim 16. Therefore, the examiner is requested to indicate the allowability of claim 16.

Claims 1 – 4, 6 – 8 and 10 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 4,517,231, May et al. (“May”). Claim 9 was rejected under 35 USC 103(a) as being unpatentable over May in view of U.S. Patent No. 5,394,902, Shibao (“Shibao”). Claim 1 has been amended to incorporate claims 2 and 3. Insofar as the rejections may be applied to the claims as amended, the applicants respectfully request that the rejections be withdrawn for the following reasons.

As described in the application, one or more aspects recognize the problem of functional components in conventional fuel tanks, where the disposition of the functional components prevents reinforcement of the vertical rigidity of the fuel tank. (Specification page 3 line 21 – page 4 line 11.)

Independent claim 1 recites in combination, for example, “a support member formed within said tank body...;” and “functional components which are integrally mounted with said support member inside said tank body.” (See also new independent claim 23.) Because the functional components are mounted integrally with the support member, the tank in which the functional component has been installed can be formed by blow forming.

Claim 1 further recites in combination, for example, “a coupling member disposed in said tank body and extending in a longitudinal direction of said tank, and wherein said coupling member couples said tank partitions to each other.” The coupling member provides stiffness to the tank.

On the other hand, without conceding that May discloses any feature of the present invention, May is directed to a hollow enclosed seamless polymeric article having at least one baffle within the article (Abstract). The office action considers May’s baffles 38 to anticipate the support member.

The office action asserts that May anticipates the invention as claimed. To the contrary, May fails to set forth each and every element found in the claims. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

May fails to teach or suggests, for example, “functional components which are integrally mounted with said support member.” (See, e.g., claims 1, 23.) To the contrary, May completely

fails to teach functional components. Moreover, May fails to teach or suggest that a “coupling member couples said tank partitions to each other.” May fails to teach or suggest, for example, these elements recited in independent claims 1 and 23. It is respectfully submitted therefore that claims 1 and 23 are patentable over May.

Shibao is cited to remedy certain deficiencies of May. Shibao discloses a fuel pump inlet chamber assembly for a vehicle fuel tank. According to Shibao, the fuel pump is mounted so that “the servicing work involving, for instance, replacement of the fuel pump 7 is simplified.” Col. 4 lines 42 – 47. Shibao therefore teaches that a functional component should be removable for servicing. Shibao also fails to teach or suggest the coupling member as recited in claim 1.

Consequently, May and Shibao, alone or in combination, fail to teach or suggest “functional components which are integrally mounted with said support member inside said tank body” as recited in claims 1 and 23.

New independent claim 23 also recites in combination, for example “the support member being a columnar module which is upstandingly disposed between upper and lower inner surfaces of said tank wall so as to enhance vertical rigidity of said fuel tank.” To the contrary, according to May, the support member is a baffle 38. (See Fig. 1.) May therefore fails to anticipate independent claim 23. Moreover, the other references fail to remedy the deficiencies of May.

For at least these reasons, the combination of features recited in independent claims 1 and 23, when interpreted as a whole, is submitted to patentably distinguish over the prior art. In addition, the references clearly fails to show other recited elements as well.

With respect to the rejected dependent claims, applicants respectfully submit that these claims are allowable not only by virtue of their dependency from independent claim 1, but also because of additional features they recite in combination.

New claims 16 – 28 have been added to further define the invention, and are believed to be patentable for reasons including these set out above. Claim 5 was rewritten in independent form as new claim 16, because the office action indicated that claim 5 would be allowed if so rewritten. Support for new independent claim 23 is located in, for example, original claims 1 and 6. Support for new claims 17 – 22 is located in, for example, original claims 2 and 6 – 10, respectively. Support for new claims 24 – 28 is located in, for example, original claims 2 and 7 – 10, respectively.

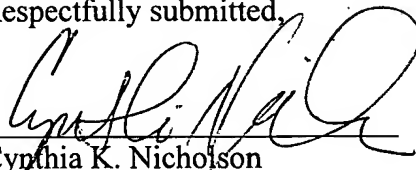
Applicants respectfully submit that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. Applicants do not concede that the cited prior art shown any of the elements recited in the claims. However, applicants have provided specific examples of elements in the claims that are clearly not present in the cited prior art.

Applicants strongly emphasize that one reviewing the prosecution history should not interpret any of the examples applicants have described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, for the sake of simplicity, applicants have provided examples of why the claims described above are distinguishable over the cited prior art.

In view of the foregoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Cynthia K. Nicholson', written over a horizontal line.

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